

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

DAWN MARIE CLARK,

Plaintiff,

v.

**KILOLO KIJAKAZI, Acting Commissioner
of Social Security,**

Defendant.

Case No. 3:21-cv-1080-SI

ORDER

Michael H. Simon, District Judge.

Plaintiff's Unopposed Motion for Authorization of Attorney Fees Under 42 U.S.C. § 406(b), ECF 27, and Plaintiff's Updated Motion for Authorization of Attorney Fees Under 42 U.S.C. § 406(b), ECF 28, are hereby granted. After performing an independent review, the Court concludes that Plaintiff's counsel D. James Tree is entitled to attorney's fees equaling 25% of Plaintiff's \$75,137 award of past-due benefits, resulting in a § 406(b) fee award of \$18,784.25. Because Plaintiff's counsel has already received \$13,317.95 for attorney's fees under the Equal Access to Justice Act, counsel shall receive net § 406(b) attorney's fees in the amount of \$5,466.30. Funds withheld by the Commissioner in anticipation of an order under § 406(b), less an administrative assessment pursuant to 42 US.C. 406(d), may be paid to D. James Tree, Tree Law Offices, 3711 Englewood Avenue, Yakima, WA 98902, consistent with this Order.

IT IS SO ORDERED.

DATED this 29th day of June, 2023.

/s/ Michael H. Simon
Michael H. Simon
United States District Judge